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Attached please find the following documents for the above referenced patent application:

1) **Transmittal Form; and**
2) **Appeal Brief [35 pages].**

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ENCLOSURES (Check all that apply)

- ☐ Fee Transmittal Form
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- ☐ Amendment/Reply
  - ☐ After Final
  - ☐ Affidavits/declaration(s)
- ☐ Extension of Time Request
- ☐ Express Abandonment Request
- ☐ Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☐ Reply to Missing Parts/ Incomplete Application
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Appeal Brief
Dkt. No.: AUS920010511US1
(IBM/0019)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

IN RE APPLICATION OF: Maria Azua Himmel, *et al.*	§	
	§	EXAMINER: Wen Tai Lin
SERIAL NO: 10/047,837	§	
CONFIRMATION NO.: 5727	§	
	§	GROUP ART UNIT: 2154
FILED: January 16, 2002	§	
	§	Via Facsimile: 571-273-0052
FOR: Telephone Number Capture from Web Page	§	

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APPEAL BRIEF

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APPEAL BRIEF

Appellant timely filed a Notice of Appeal to this Board on February 6, 2006 appealing the decision of the Examiner in the Final Office Action dated November 4, 2005 for the above captioned application. Appellant hereby submits this Appeal Brief pursuant to 37 C.F.R. 41.37.

(1) REAL PARTY IN INTEREST

The real party of interest in this action is International Business Machines Corporation, the recorded assignee of the entire right, title and interest in and to the patent application now under appeal before this Board. International Business Machines Corporation is a corporation of the State of New York, having a place of business in Armonk, New York 10504.

(2) RELATED APPEALS AND INTERFERENCES

There are no other appeals or interferences known to Appellants, Appellants' legal representative, or Assignee that will affect or be directly affected by or have a bearing upon the Board's decision in the pending appeal.

(3) STATUS OF THE CLAIMS

The status of all claims in the application under appeal is as follows: claims 1-11 and 13-39 are pending in the application. Claims 1-11 and 13-39 stand rejected and are under appeal.

(4) STATUS OF AMENDMENTS

Amendments to the claims were submitted in Applicant's "Response to the Final Office Action dated August 11, 2005", which Response was filed on January 4, 2006. The Advisory Action of February 1, 2006 indicated that, for purposes of appeal, the amendments were entered.

(5) SUMMARY OF CLAIMED SUBJECT MATTER

There are four independent claims involved in this appeal, including independent method claim 1, independent system claim 21, independent computer program product claim 27, and independent method claim 37.

Independent claim 1 is directed to a method for sending a telephone number record into a communications terminal having an electronic telephone directory. (Specification, page 5, lines 9-28; page 7, lines 1-11; original claim 1). The method comprises recording in a web browser a destination address of the communications terminal having the electronic telephone directory; capturing one or more telephone number records from a Web page; and sending a message containing the one or more captured telephone number records from a captor computer to the destination address of the communications terminal, wherein the captor computer is selected from a computer running the web browser or a server hosting the Web page. (Specification, page 5, lines 9-28; page 7, lines 1-11; page 9, lines 4-18; original claim 1).

Independent system claim 21 is directed to a system for sending a telephone number record into a communications terminal having an electronic telephone directory. (Specification, page 5, line 9 to page 9, line 2; Figure 1; original claim 21). The system comprises a server storing at least one telephone number record that may be displayed on a Web page being hosted by the server; a computer having a browser capable of providing a destination address of the communications terminal having the electronic telephone directory; and a communications terminal having an electronic telephone directory, wherein a captor computer sends a message to the electronic telephone directory at the destination address provided by the browser, wherein the message contains the telephone number record captured from the Web page, and wherein the

captor computer is selected from the computer or the server. (Specification, page 5, line 9 to page 9, line 2; Figure 1; original claim 21).

Independent computer program product claim 27 is directed to a computer program product including instructions embodied on a computer readable medium for sending a telephone number record into a communications terminal having an electronic telephone directory. (Specification, page 7, line 25 to page 8, line 2; page 8, line 25 to page 9, line 26; original claim 27). The computer program product comprises recording instructions for recording in a web browser a destination address of the communications terminal having the electronic telephone directory; capturing instructions for capturing one or more telephone number records from a Web page; and sending instructions for sending a message from a captor computer to the destination address of the communications terminal, wherein the message contains the one or more captured telephone number records and wherein the captor computer is selected from a computer running the web browser or a server hosting the Web page. (Specification, page 7, line 25 to page 8, line 2; page 8, line 25 to page 9, line 26; original claim 27).

Independent method claim 37 is directed to a method for sending a telephone number record for storage in a communications terminal. (Specification, page 12, line 29 to page 13, line 26; Figure 5; original claim 37). The method comprises detecting on a browser a destination address of the communications terminal, the communications terminal having an automatic telephone directory; downloading a Web page containing a telephone number record tailored for the geographical location of the destination address; receiving a request to send one or more telephone number records, wherein the telephone number records are displayed by the browser on the Web page; and sending a message from a server hosting the Web page to the destination address of the communications terminal, wherein the message contains the one or more captured

telephone number records. (Specification, page 5, lines 22-24; page 9, lines 16-18; page 10, lines 3-4; page 12, line 29 to page 13, line 26; Figure 5; original claim 37).

(6) GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

a. Whether claims 1-11 and 13-37 have inconsistent claim language.

b. Whether claims 1-2, 5-10, 21-24, 26-28, 31-33, 35 and 37-39 are anticipated under 35 U.S.C. 102(e) by U.S. Patent Application Publication No. 2004/0111669 ("Rossmann").

c. Whether claims 3-4 and 29-30 are unpatentable under 35 U.S.C. 103(a) over U.S. Patent Application Publication No. 2004/0111669 ("Rossmann") in view of Official Notice.

d. Whether claims 11, 13-15, 17-20, 25, 34 and 36 are unpatentable under 35 U.S.C. 103(a) over U.S. Patent Application Publication No. 2004/0111669 ("Rossmann").

(7) ARGUMENT

a. Whether claims 1-11 and 13-37 have inconsistent claim language.

Despite the Applicant's position regarding the consistency of the claim language, claims 1, 2, 17, 21, 27 and 28 were amended in Applicant's Response to Final Office Action, which Response was filed on January 4, 2006, to include the term "captor computer." The Advisory Action of February 1, 2006 indicated that, for purposes of appeal, the amendments were entered. It is asserted that this amendment makes the rejection moot. Reconsideration and withdrawal of the rejection is respectfully requested.

b. Whether claims 1-2, 5-10, 21-24, 26-28, 31-33, 35 and 37-39 are anticipated under 35 U.S.C. 102(e) by U.S. Patent Application Publication No. 2004/0111669 ("Rossmann").

(1) Review of the cited prior art.

U.S. Patent Application Publication No. 2004/0111669 ("Rossmann") discloses a method including receiving a web page having a number of data elements, classifying the data elements, determining a number of related operations for each of the data elements and outputting the related operations. (Rossmann, Abstract). As Rossmann discloses, the data is extracted from the web page, the user selects one or more related operations, and the extracted data are then output to the one or more related operations, which then processes the extracted data. (Rossmann, ¶ 44). Selecting the related operation causes the extracted data to be sent to the application implementing the related operation. (Rossmann, ¶ 44). For example, using a hotel booking application, the process books a hotel by contacting the hotel booking website, makes reservations, sends confirmations to user, etc. (Rossmann, ¶ 74). It is significant to note that the processor used in the method controls and sends instructions to the remote terminals, as in the case of booking the hotel reservation.

(2) Applicable law.

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Furthermore, "[a]nticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, *arranged as in the claim*." *Lindemann Mashinenfabrik GmbH v. American Hoist & Derrick Co.*, 730 F.2d 1452, 221 USPQ 481, 485 (Fed. Cir. 1984). Under 35 U.S.C. Section 102, anticipation requires that "the prior art reference

must be enabling, thus placing the allegedly disclosed matter in the possession of the public." *Akzo N.V. v. U.S. Int'l Trade Comm'n*, 808 F.2d 1471, 1 USPQ2d 1241, 1245 (Fed. Cir 1986). "There must be no difference between the claimed invention and the reference disclosure, as viewed by a person of ordinary skill in the field of the invention." *Scripps Clinic & Research Found. v. Genentech Inc.*, 927 F.2d 1565, 18 USQP2d 1001, 1010 (Fed. Cir. 1991).

(3) The cited prior art fails to disclose each of the claim limitations of independent method claim 1.

Applicant claims, *inter alia*, recording in a web browser a destination address of a communications terminal having an electronic telephone directory, capturing one or more telephone number records from a Web page, and sending a message containing the one or more captured telephone number records from a captor computer to the communications terminal. (Claim 1).

MPEP § 2131 provides:

> "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as is contained in the . . . claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236 (Fed. Cir. 1989). The elements must be arranged as required by the claim, but this is not an *ipsissimis verbis* test, *i.e.*, identity of terminology is not required. *In re Bond*, 910 F.2d 831 (Fed. Cir. 1990).

Applicant respectfully asserts that a *prima facie* case of anticipation has not been presented because each and every element as set forth in Applicant's claim is not found in the cited prior art reference. Applicant claims recording a destination address of a communications terminal having an electronic telephone directory in a browser.

The Examiner responds to Applicant's remarks from the prior response by stating the Rossmann does teach using a browser's bookmark for recording the address of the desired page. (See FOA, ¶25). However, Applicant does not claim recording an address on a browser for a desired page, but rather records an address that is a "destination address of the communications terminal having the telephone directory" and further, "sending a message to the destination address of the communications terminal." It is not a webpage address that is being recorded in the browser, but the address of a communications terminal that is capable of being able to receive the message.

The Examiner further states that Rossmann discloses that the browser can communicate with all the files on the system that it is operating on, and therefore, because Rossmann's communications terminal is co-located with the browser, that the browser can communicate with the communications terminal. Such is not, however, what Applicant claims. Rossmann discloses, as the Examiner points out, that a telephone number can be saved to a PIM after the telephone number has been looked up on a website. However, saving a number on the PIM that was used to lookup the number is not the same as "sending a message containing the one or more captured telephone numbers from a captor computer to the destination address of the communications terminal," which is an element of Applicant's claimed invention.

As stated above, a *prima facie* case of anticipation requires that each and every element as set forth in Applicant's claims are found, either expressly or inherently described in a single prior art reference. Since Rossmann does not set forth each and every element as set forth in Applicant's claims, Applicant respectfully requests reconsideration and withdrawal of the rejection of independent claim 1 as well as all claims depending therefrom.

(4) The cited prior art fails to disclose each of the claim limitations of independent system claim 21.

Applicant claims, *inter alia*, a system comprising a server, computer and communications terminal as set out in claim 1, "wherein a captor computer sends a message to the electronic telephone directory at the destination address provided by the browser, wherein the message contains the telephone number record captured from the Web page." (Claim 21). Rossman does not disclose or teach a captor computer that sends a message containing a telephone number record from a Web page to an electronic telephone directory at a destination address.

As stated above, a *prima facie* case of anticipation requires that each and every element as set forth in Applicant's claims are found, either expressly or inherently described in a single prior art reference. Since Rossmann does not set forth each and every element as set forth in Applicant's claims, Applicant respectfully requests reconsideration and withdrawal of the rejection of independent claim 21 as well as all claims depending therefrom.

(5) The cited prior art fails to disclose each of the claim limitations of independent computer program product claim 27.

Applicant claims a computer program product comprising, *inter alia*, "sending instructions for sending a message from a captor computer to the destination address of the communications terminal, wherein the message contains the one or more captured telephone number records." (Claim 27). Rossman does not disclose or teach a computer program product having instructions for sending a message containing one or more captured telephone number records from a captor computer to an electronic telephone directory at a destination address.

As stated above, a *prima facie* case of anticipation requires that each and every element as set forth in Applicant's claims are found, either expressly or inherently described in a single

prior art reference. Since Rossmann does not set forth each and every element as set forth in Applicant's claims, Applicant respectfully requests reconsideration and withdrawal of the rejection of independent claim 27 as well as all claims depending therefrom.

(6) The cited prior art fails to disclose each of the claim limitations of independent method claim 37.

Applicant claims a method for sending a telephone number record for storage in a communications terminal. The method comprises "detecting on a browser a destination address of the communications terminal, the communications terminal having an automatic telephone directory; downloading a Web page containing a telephone number record tailored for the geographical location of the destination address; receiving a request to send one or more telephone number records, wherein the telephone number records are displayed by the browser on the Web page; and sending a message from a server hosting the Web page to the destination address of the communications terminal, wherein the message contains the one or more captured telephone number records." (Claim 37). Rossman does not disclose or teach a method that includes sending a message containing one or more captured telephone number records from a sever hosting the Web page to the destination address of the communications terminal. Rossman teaches processing Web pages to classify data elements, identify related operations, and extracting the data for output to the related operation. Rossman does not teach or suggest that the server hosting the Web page is capable of send a message to a communications terminal identified by a destination address in the user's Web browser.

As stated above, a *prima facie* case of anticipation requires that each and every element as set forth in Applicant's claims are found, either expressly or inherently described in a single prior art reference. Since Rossmann does not set forth each and every element as set forth in

Applicant's claims, Applicant respectfully requests reconsideration and withdrawal of the rejection of independent claim 37 as well as all claims depending therefrom.

c. Whether claims 3-4 and 29-30 are unpatentable under 35 U.S.C. 103(a) over U.S. Patent Application Publication No. 2004/0111669 ("Rossmann") in view of Official Notice.

(1) Review of the cited prior art.

U.S. Patent Application Publication No. 2004/0111669 ("Rossmann") is discussed above in Section 7(b)(1) of this Appeal Brief. This discussion is reasserted here.

(2) Applicable law. A claimed invention is unpatentable if the differences between it and the prior art "are such that the subject matter *as a whole* would have been obvious at the time the invention was made to a person having ordinary skill in the art." 35 U.S.C. 103(a) [emphasis added]. The ultimate determination of whether an invention is or is not obvious is a legal conclusion based on underlying factual inquiries including: (1) the scope and content of the prior art; (2) the level of ordinary skill in the prior art; (3) the differences between the claimed invention and the prior art; and (4) objective evidence of nonobviousness. *Graham v. John Deere Co.*, 383 U.S. 1, 17-18, 148 USPQ 459, 467 (1966). As the Federal Circuit has stated, "Focusing on the obviousness of substitutions and differences instead of on the invention *as a whole* . . . was a legally improper way to simplify the difficult determination of obviousness." *Hybritech Inc. v. Monoclonal Antibodies, Inc.*, 802 F.2d 1367, 1383 (Fed. Cir. 1986) [emphasis added].

To establish a *prima facie* case of obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 985 (CCPA

1974). All words in a claim must be considered in judging the patentability of that claim against the prior art. *In re Wilson*, 424 F.2d 1382, 1385 (CCPA 1970).

An additional requirement for providing a *prima facie* case of obviousness is that the Examiner must provide a basis for combining or modifying the cited references. The mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination. *In re Mills*, 916 F.2d 680 (Fed. Cir. 1990).

In the case *In re Rouffet*, 149 F.3d 1350 (Fed. Cir. 1998), the Court states:

> When a rejection depends on a combination of prior art references, there must be some teaching, suggestion, or motivation to combine the references. Although the suggestion to combine references may flow from the nature of the problem, the suggestion more often comes from the teachings of the pertinent references or from the ordinary knowledge of those skilled in the art that certain references are of special importance in a particular field. Therefore, when determining the patentability of a claimed invention which combines two known elements, the question is whether there is something in the prior art as a whole to suggest the desirability, and thus the obviousness, of making the combination.

Id. at 1356 [citations omitted].

In the case *In re Lee*, 277 F.3d 1338 (Fed. Cir. 2002), the Federal Circuit held:

> When patentability turns on the question of obviousness, the search for and analysis of the prior art includes *evidence* relevant to the finding of whether there is a teaching, motivation, or suggestion to select and combine the references relied on as evidence of obviousness.

Id. at 1343, emphasis added.

The courts have recognized that most inventions are made up of elements that have already been discovered and utilized. It is the specific combination of these elements, however,

that define the invention being claimed. For example, in the case *In re Kotzab*, 217 F.3d 1365 (Fed. Cir. 2000), the Court states:

> Most, if not all inventions arise from a combination of old elements . . . Thus, every element of a claimed invention may often be found in the prior art. However, identification in the prior art of each individual part claimed is insufficient to defeat patentability of the whole claimed invention. Rather, to establish obviousness based on a combination of the elements disclosed in the prior art, there must be some motivation, suggestion or teaching of the desirability of making the specific combination that was made by the applicant.

Id. at 1395.

(3) The cited prior art fails to disclose each of the claim limitations of claims 3-4 and 29-30.

Method claim 3, from which claim 4 depends, includes limitations directed to "recording the captured telephone number record if the telephone number and alphanumeric reference did not already exist in the electronic telephone directory; and providing notification to the communications terminal user if the telephone number or alphanumeric reference already exists in the electronic telephone directory." (Claim 3).

Similarly, computer program product claim 29, from which claim 30 depends, includes "recording instructions for recording the captured telephone number record if the telephone number and alphanumeric reference did not exist in the electronic telephone directory; and providing instructions for providing notification to the communications terminal user if the telephone number or alphanumeric reference already exists in the electronic telephone directory." (Claim 29).

First, Applicant asserts that Rossman does not teach, show or suggest the limitations of the base claims, independent claims 1 and 27, as discussed above. Namely, Rossman does not teach, show or suggest a method including the step of sending a message containing the one or more captured telephone numbers from a captor computer to the destination address of the communications terminal as set out in claim 1. Similarly, Rossman does not teach, show or suggest a computer program product having instructions for sending a message containing one or more captured telephone number records from a captor computer to an electronic telephone directory at a destination address. The dependent claims 3-4 and 29-30 are allowable on this basis.

Furthermore, Applicant respectfully asserts that the Examiner's Official Notice in support of this rejection is not commensurate in scope with the rejected claims. Claims 3-4 and 29-30 do not claim a simple updating of a database, but rather takes two different actions depending upon the circumstances. Speficially, the claims include *recording* the number if it did not exist in the directory a telephone directory and *providing notification* to the use if the number already exists in the directory. This is not the same as what the Examiner states as official notice and Rossman makes no such suggestion.

d. Whether claims 11, 13-15, 17-20, 25, 34 and 36 are unpatentable under 35 U.S.C. 103(a) over Rossmann.

(1) Review of the cited prior art.

U.S. Patent Application Publication No. 2004/0111669 ("Rossmann") is discussed above in Section 7(b)(1) of this Appeal Brief. This discussion is reasserted here.

(2) Applicable law.

The applicable law of patentability under 35 U.S.C. 103(a) is set out in Section 7(c)(2) of this Appeal Brief.

(3) The cited prior art fails to disclose each of the limitations of claims 11, 13-15, 17-20, 25, 34 and 36.

Because the claims that are subject to the present rejection are all dependent claims, Applicant reasserts its previous arguments regarding the independent claims and asserts that these dependent claims are allowable for at least the same reasons.

(4) The cited prior art fails to disclose each of the limitations of claims 13 and 14.

The examiner asserts that claims 13 and 14 are taught by Rossman, but the only citation of support is a reference to rejections of claims 7 and 8. Claims 7 and 8 have different limitations than claims 13 and 14 and it is not clear how the paragraphs cited against claims 7 and 8 would provide a teaching of the limitations of claims 13 and 14. Applicant asserts that the examiner has not made out a *prima facie* case of obviousness. Reconsideration and withdrawal of the rejection is requested.

(5) The cited prior art fails to disclose each of the limitations of claims 11 and 15.

After the examiner states that Rossman does not teach certain limitations of claims 11 and 15, the examiner fails to explain how paragraph 90 of Rossman is being applied against the claims. Specifically, the rejection does not even attempt to address the limitation of "receiving an instruction from a user identifying the one or more telephone number records to capture." Accordingly, Applicant asserts that the examiner has not made out a *prima facie* case of obviousness. Reconsideration and withdrawal of the rejection is requested.

(6) The cited prior art fails to disclose each of the limitations of claim 17.

In support of the rejection, the examiner appears to be taking Official Notice regarding the charging for long distance calls without specifically stating that Official Notice is involved. Furthermore, claim 17 includes the limitation of "charging a cost of a long distance telephone call to dispatch the message by the server to the credit card number." This is substantially different than paying for a call that you originate. Reconsideration and withdrawal of the rejection is requested.

(7) The cited prior art fails to disclose each of the limitations of claims 18 and 19.

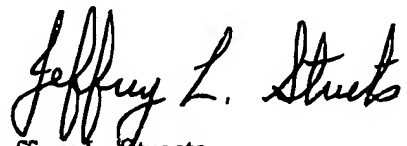
Still, the examiner appears to be taking Official Notice regarding marking a message with a password without specifically stating that Official Notice is involved. Furthermore, after the examiner states that Rossman does not teach certain limitations of claims 18 and 19, the examiner fails to cite any evidence whatsoever. Furthermore, the rejection does not even attempt to address where Rossman provides a disclosure or suggestion of the limitation "determine that the message contains a telephone directory record." Accordingly, Applicant asserts that the examiner has not made out a *prima facie* case of obviousness. Reconsideration and withdrawal of the rejection is requested.

(8) The cited prior art fails to disclose each of the limitations of claim 20.

Again, the examiner appears to be taking Official Notice regarding marking a message with a password without specifically stating that Official Notice is involved. Furthermore, after the examiner states that Rossman does not teach certain limitations of claim 20, the examiner fails to cite any evidence whatsoever. Accordingly, Applicant asserts that the examiner has not made out a *prima facie* case of obviousness. Reconsideration and withdrawal of the rejection is requested.

Therefore, because the cited prior art reference fails to disclose each and every limitation of the claims, Appellant respectfully asserts that a *prima facie* case of anticipation has not been presented. Therefore, Appellant respectfully requests the Board to find that claims 1-11 and 13-39 presented on appeal are patentable.

Respectfully submitted,



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

IN RE APPLICATION OF: Maria Azua Himmel, *et al.*	§	
	§	EXAMINER: Wen Tai Lin
SERIAL NO: 10/047,837	§	
CONFIRMATION NO.: 5727	§	
	§	GROUP ART UNIT: 2154
FILED: January 16, 2002	§	
	§	Via Facsimile: 571-273-0052
FOR: Telephone Number Capture From Web Page	§	

APPENDIX IN SUPPORT OF APPELLANT'S APPEAL BRIEF

(8) CLAIMS APPENDIX 22

(9) EVIDENCE APPENDIX.....28

(10) RELATED PROCEEDINGS APPENDIX.....28

(8) CLAIMS APPENDIX

What is claimed is:

1. (previously presented) A method for sending a telephone number record into a communications terminal having an electronic telephone directory, comprising:

recording in a web browser a destination address of the communications terminal having the electronic telephone directory;

capturing one or more telephone number records from a Web page; and

sending a message containing the one or more captured telephone number records from a captor computer to the destination address of the communications terminal, wherein the captor computer is selected from a computer running the web browser or a server hosting the Web page.

2. (previously presented) The method of claim 1, further comprising:

receiving the message containing the one or more captured telephone number records from the captor computer; and

recording the one or more telephone number records into the electronic telephone directory.

3. (previously presented) The method of claim 2, further comprising:

searching existing telephone number records in the electronic telephone directory;

determining if the captured telephone number record already exists in the electronic telephone directory;

recording the captured telephone number record if the telephone number and alphanumeric reference did not already exist in the electronic telephone directory; and

providing notification to the communications terminal user if the telephone number or alphanumeric reference already exists in the electronic telephone directory.

4. (previously presented) The method of claim 3, wherein the step of providing notification further comprises:

prompting the communications terminal user for an instruction selected from instructions consisting of deleting the telephone number record in the message and updating the electronic telephone directory with the telephone number record; and

executing the instruction.

5. (original) The method of claim 1, wherein the communications terminal is selected from a mobile telephone, a personal computer, a voice mail messaging service, a FAX machine, a handheld computer, a personal digital assistant or combinations thereof.

6. (original) The method of claim 1, wherein the communications terminal is selected from a device that can store and retrieve information and is connectable to a telephone network, a device that can store and retrieve information and is connectable to a computer network or combinations thereof.

7. (original) The method of claim 1, wherein the destination address for the communications terminal is selected from a computer network address, an Internet address, and telephone number.

8. (original) The method of claim 1, wherein the one or more telephone number records comprises a telephone number and an alphanumeric identifier for the telephone number.

9. (original) The method of claim 1, wherein the telephone number record comprises parameters selected from a telephone number, contact name, an address, a FAX number, an e-mail address, a hyperlink to a Web site, a business name, a business specialty, business hours or combinations thereof.

10. (previously presented) The method of claim 1, wherein the step of recording the destination address comprises:

selecting a menu function on the browser for recording the communications terminal's destination address;

specifying the destination address on an interactive display provided by the browser; and

saving the destination address within the browser program.

11. (previously presented) The method of claim 1, wherein the step of capturing the telephone number record comprises:

receiving an instruction from a user identifying the one or more telephone number records to capture, wherein the user provides the instruction by means selected from clicking a mouse on a Web page button, marking a box displayed on the Web page near the telephone number record, answering a query contained in a dialogue box, other means compatible with the browser and server software, or combinations thereof.

12. (cancelled)

13. (previously presented) The method of claim 11, wherein each telephone number record comprises a telephone number and an alphanumeric identifier for the telephone number, the method further comprising:

editing the alphanumeric portion of the chosen telephone number record, wherein the editing better identifies the telephone number; and

editing the telephone number portion of the chosen telephone number record, wherein the editing makes the telephone number compatible with the communication terminal's telephone system.

14. (original) The method of claim 11, wherein the telephone number record is displayed in a standard format suitable for a format of the electronic telephone directory.

15. (previously presented) The method of claim 1, wherein the step of capturing the telephone number record comprises:

displaying a telephone number record dialogue box; and

receiving an instruction from a user identifying the one or more telephone number records to capture, wherein the user provides the instruction by copying information from the Web page into the dialogue box.

16. (previously presented) The method of claim 1, further comprising:

detecting the destination address of the communications terminal on the browser;

determining from the destination address a mode for dispatching the message, wherein the mode is selected from dispatching over a computer network or a telephone network;

composing the message containing the one or more captured telephone number records;

marking the message to indicate that the message is a telephone directory record; and

dispatching the message to the destination address.

17. (previously presented) The method of claim 16, wherein the captor computer is the server hosting the Web page, further comprising:

requesting a credit card number;

receiving the credit card number by the server; and

charging a cost of a long distance telephone call to dispatch the message by the server to the credit card number.

18. (previously presented) The method of claim 1, further comprising:

detecting a password for the communications terminal, wherein the password is recorded on the browser with the destination address of the communications terminal;

retrieving the password; and

marking the message with the password.

19. (previously presented) The method of claim 2, further comprising:

determining that the message contains a telephone directory record; and

discarding the message if the message is not marked with a password.

20. (previously presented) The method of claim 2, further comprising:

determining that the message contains a telephone directory record; and

providing notification that the message has arrived at the destination address.

21. (previously presented) A system for sending a telephone number record into a communications terminal having an electronic telephone directory comprising:

a server storing at least one telephone number record that may be displayed on a Web page being hosted by the server;

a computer having a browser capable of providing a destination address of the communications terminal having the electronic telephone directory; and

a communications terminal having an electronic telephone directory, wherein a captor computer sends a message to the electronic telephone directory at the destination address provided by the browser, wherein the message contains the telephone number record captured from the Web page, and wherein the captor computer is selected from the computer or the server.

22. (original) The system of claim 21, wherein the communications terminal is selected from a mobile telephone, a personal computer, a voice mail messaging service, a FAX machine, a handheld computer, a personal digital assistant or combinations thereof.

23. (original) The system of claim 21, wherein the communications terminal is selected from a device that can store and retrieve information and is connectable to a telephone network, a device that can store and retrieve information and is connectable to a computer network, or combinations thereof.

24. (original) The system of claim 21, wherein the destination address for the communications terminal is selected from a computer network address, an Internet address or a telephone number.

25. (original) The system of claim 21, wherein the telephone number record comprises a telephone number and an alphanumeric identifier for the telephone number.

26. (original) The system of claim 21, wherein the telephone number record comprises parameters selected from a telephone number, a contact name, an address, a FAX number, an e-mail address, a hyperlink to a Web site, a business name or combinations thereof.

27. (previously presented) A computer program product including instructions embodied on a computer readable medium for sending a telephone number record into a communications terminal having an electronic telephone directory, the instructions comprising:

recording instructions for recording in a web browser a destination address of the communications terminal having the electronic telephone directory;

capturing instructions for capturing one or more telephone number records from a Web page; and

sending instructions for sending a message from a captor computer to the destination address of the communications terminal, wherein the message contains the one or more captured telephone number records and wherein the captor computer is selected from a computer running the web browser or a server hosting the Web page.

28. (previously presented) The computer program product of claim 27, further comprising:

receiving instructions for receiving the message containing the one or more captured telephone number records from the captor computer; and

recording instructions for recording the one or more telephone number records into the electronic telephone directory.

29. (previously presented) The computer program product of claim 28, further comprising:

searching instructions for searching existing telephone number records in the electronic telephone directory;

determining instructions for determining if the captured telephone number record already exists in the electronic telephone directory;

recording instructions for recording the captured telephone number record if the telephone number and alphanumeric reference did not exist in the electronic telephone directory; and

providing instructions for providing notification to the communications terminal user if the telephone number or alphanumeric reference already exists in the electronic telephone directory.

30. (previously presented) The computer program product of claim 29, wherein the instructions for providing notification further comprises:

prompting instructions for prompting the communications terminal user for a command selected from commands consisting of deleting the telephone number record in the message and updating the electronic telephone directory with the telephone number record; and

executing instructions for executing the command.

31. (original) The computer program product of claim 27, wherein the communications terminal is selected from a mobile telephone, a personal computer, a voice mail messaging service, a FAX machine, a handheld computer, a personal digital assistant or combinations thereof.

32. (original) The computer program product of claim 27, wherein the communications terminal is selected from a device that can store and retrieve information and is connectable to a telephone network, a device that can store and retrieve information and is connectable to a computer network or combinations thereof.

33. (original) The computer program product of claim 27, wherein the destination address for the communications terminal is selected from a computer network address, an Internet address or a telephone number.

34. (original) The computer program product of claim 27, wherein the telephone number record comprises a telephone number and an alphanumeric identifier for the telephone number.

35. (original) The computer program product of claim 27, wherein the telephone number record comprises parameters selected from a telephone number, a contact name, an address, a FAX number, an e-mail address, a hyperlink to a Web site, a business name or combinations thereof.

36. (previously presented) The computer program product of claim 27, further comprising:

detecting instructions for detecting the destination address of the communications terminal on the browser;

determining instructions for determining from the destination address a mode for dispatching the message, wherein the mode is selected from dispatching over a computer network or a telephone network;

composing instructions for composing the message containing the one or more captured telephone number records;

marking instructions for marking the message to indicate that the message is a telephone directory record; and

dispatching instructions for dispatching the message to the destination address.

37. (previously presented) A method for sending a telephone number record for storage in a communications terminal comprising:

detecting on a browser a destination address of the communications terminal, the communications terminal having an automatic telephone directory;

downloading a Web page containing a telephone number record tailored for the geographical location of the destination address;

receiving a request to send one or more telephone number records, wherein the telephone number records are displayed by the browser on the Web page; and

sending a message from a server hosting the Web page to the destination address of the communications terminal, wherein the message contains the one or more captured telephone number records.

38. (original) The method of claim 37, further comprising:

recording the one or more telephone number records into the electronic telephone directory.

39. (original) The method of claim 37, wherein the detecting a destination address is selected from reading the destination address embedded in a browser or requesting the destination address.

(9) Evidence Appendix

None

(10) Related Proceedings Appendix

None